

THE HONORABLE JOHN C. COUGHENOUR

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

VALERIE SAMPSON and DAVID
RAYMOND, on their own behalf and on the
behalf of all others similarly situated,

Plaintiffs,

v.

KNIGHT TRANSPORTATION, INC., an
Arizona corporation, KNIGHT
REFRIGERATED, LLC, an Arizona limited
liability company, and KNIGHT PORT
SERVICES, LLC, an Arizona limited liability
company,

Defendants.

NO. 2:17-cv-00028-JCC

**STIPULATED MOTION AND
~~PROPOSED~~ ORDER TO RE-OPEN
CASE TO SEEK APPROVAL OF
SECOND ROUND OF
DISTRIBUTION OF SETTLEMENT
FUNDS**

Noted on Motion Calendar:
September 6, 2024

Defendants Knight Transportation, Inc., Knight Refrigerated, LLC, and Knight Port Services, LLC (“Defendants”) and Plaintiffs Valerie Sampson and David Raymond (“Plaintiffs”), by and through their respective counsel, hereby submit this stipulated motion to re-open this case to seek Court approval of a second round of distribution of the Settlement funds in this previously certified class action.

WHEREAS, on January 6, 2017, Defendant Knight Transportation, Inc. removed this case to the Western District of Washington (ECF 1);

STIPULATED MOTION AND ~~PROPOSED~~
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APPROVAL OF SECOND ROUND OF
DISTRIBUTION OF SETTLEMENT FUNDS – 1
CASE No. 2:17-cv-00028-JCC

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1 WHEREAS, on June 8, 2020, the Court granted Plaintiffs' motion for class certification
2 (ECF 117) and approved notice to the class (ECF 119);

3 WHEREAS, on November 8, 2022 the Court granted preliminary approval of a class
4 action settlement (ECF 192) and on April 4, 2023, the Court granted final approval of that
5 settlement (ECF 201);

6 WHEREAS, on May 12, 2023, the Court entered judgment and closed this matter (ECF
7 203);

8 WHEREAS, the parties have implemented and complied with the terms of the
9 settlement agreement, and distributed funds to class members in accordance therewith;

10 WHEREAS, after distribution of the settlement funds to class members, there remains
11 \$57,973.48 in the settlement fund;

12 WHEREAS, Plaintiffs propose and Defendants do not oppose a second distribution of
13 the remaining funds to class members who cashed their checks during the first round;

14 WHEREAS, Plaintiffs propose and Defendants do not oppose calculating the awards for
15 the second distribution in accordance with the pro rata calculations set forth in the settlement
16 agreement;

17 WHEREAS, the Settlement Administrator, Simpluris, that was approved by the Court to
18 handle settlement administration has agreed to cap its fee for this second distribution at \$3,900,
19 which would come out of the \$57,973.48 remaining in the settlement fund;

20 WHEREAS, this would leave \$54,073.48 to be distributed to class members;

21 THEREFORE, the parties respectfully request the Court re-open this matter and
22 approve a second distribution as set forth in the below Proposed Order.

RESPECTFULLY SUBMITTED AND DATED this 9th day of September, 2024.

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STIPULATED MOTION AND ~~PROPOSED~~
ORDER TO RE-OPEN CASE TO SEEK
APPROVAL OF SECOND ROUND OF
DISTRIBUTION OF SETTLEMENT FUNDS – 3
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21 STIPULATED MOTION AND ~~[PROPOSED]~~
22 ORDER TO RE-OPEN CASE TO SEEK
23 APPROVAL OF SECOND ROUND OF
24 DISTRIBUTION OF SETTLEMENT FUNDS – 4
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~~PROPOSED~~ ORDER

This matter came before the Court on the parties' Stipulation to Re-Open Case to Seek Approval of a Second Round of Distribution of Settlement Funds in this previously certified class action.

Pursuant to the parties' Stipulation and Fed. R. Civ. P. 60(b)(6), the Court finds good cause to re-open this case. Pursuant to the parties' Stipulation and the Court's previous Orders in this matter, the Court approves a second distribution to Settlement Class Members who cashed their checks during the first distribution, with those awards to be calculated on the same pro rata basis as set forth in the Settlement Agreement and previously approved by this Court. The Court further approves the payment of \$3,900 to the Settlement Administrator, Simpluris. The Settlement Administrator shall proceed with the second distribution within 30 days of this Order.

IT IS SO ORDERED.

DATED this 9th day of September 2024



THE HONORABLE JOHN C. COUGHENOUR
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, Erika Lane, hereby certify that on September 6, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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STIPULATED MOTION AND ~~PROPOSED~~
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APPROVAL OF SECOND ROUND OF
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4 DATED this 6th day of September, 2024.

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